

MINUTES
WV RACING COMMISSION
Friday, October 21, 2011 10:00 A.M.
WV Lottery

The WV Racing Commission met on October 21, 2011, at 10:00 AM to conduct business and consider administrative matters. Roll call was taken and present were Chairman Joe Smith and Commissioner Jack Rossi, with Commissioner Greg McDermott via conference call. Counsel was represented by Kelli Talbott and Anthony Eates.

Approval of September 9, 2011 Minutes

The Commissioners and both attorneys received the minutes from the September 9, 2011, meeting prior to this meeting. Mr. Rossi moved to accept the minutes, Mr. McDermott seconded the motion. The Commissioners approved the September 9, 2011 minutes by unanimous consent.

Request from Wheeling Island to run 6-7 dogs per race

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission agreed to defer any decision allowing Ms. Horvath to meet with representatives of greyhound owners, breeders, and kennel owners.

Approval of Wheeling Island 2012 kennel contract

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission agreed to defer any decision allowing Ms. Horvath to meet with representatives of the kennel owners.

Mardi Gras request, increase point values for marathon races

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission agreed to the increase the point values. Ms Horvath agreed with Mr. Staats to raise Wheeling Island's point values as well.

Occupational permit reinstatement – Tommy Hoop

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission agreed to defer any decision, having no information from Mr. Hoop.

Occupational permit reinstatement – Jonathan Joyce

Upon motion by Mr. McDermott, seconded by Mr. McDermott, the Commission agreed to have a conditional reinstatement of his permit, following Chairman Smith's review of his background check. Chairman Smith indicated that background checks must be completed before permit reinstatement requests are placed on the agenda.

Approval of Memorandum of Understanding with Office of Technology

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission decided to defer any decision until the OT office can give the Commission specific cost figures.

Report from Wheeling Island, renovations to racing area

Ms. Horvath disclosed that the track has closed off the first floor, due to the river flooding frequently. Substantial renovations are being done to the second and third floors. They have installed new TV's and a video wall on the 2nd floor, with dining facilities. No smoking is allowed. The 3rd floor has the simulcasting, tellers and allows smoking.

First quarter payments, "new" supplemental purse award claims / Wade Sanderson – approval of interim payment protocol

Joe Moore announced that the 1st quarter of the new purse claims has been paid. Of the ones not paid, one group is denied because of filing too late. The other group needs to establish proof of residency, and these claims may still be paid. He will generate a letter notifying these people what information is needed, and allow fourteen days for receipt. For payments, he stated all the old claims will be paid out by the end of November, 2011, and the 2nd quarter new purse claims will be paid by the end of December, 2011.

Approval to promulgate rule for payment of new supplemental purse award claims

Upon motion by Mr. Rossi, seconded by Mr. McDermott, the Commission agreed to an interim policy stating the letter requesting real or personal property tax and WV income tax for two years prior to each claim date, be mailed certified to the last known address. It was noted that Ms. Talbott will prepare clarifying rules on the payment process for the 2013 Legislature.

Capital reimbursement request, Mountaineer Racetrack, additional repairs to Winner's Circle, \$18,215.00

Upon motion by Mr. Rossi, seconded by Mr. McDermott, following acknowledgement by Ms. Carnefix that the funds are available, the Commission approved the reimbursement.

Capital reimbursement request, Mountaineer racetrack, purchase/ installation of new transformer for track use, \$33,643.00

Upon motion by Mr. Rossi, seconded by Mr. McDermott, following acknowledgement by Ms. Carnefix that the funds are available, the Commission approved the reimbursement for the transformer over the paddock.

Memo, request for "live" race days / HBPA approval for simulcast contracts

Upon motion by Mr. Rossi, seconded by Mr. McDermott, following approval from the HBPA for simulcasts, the Commission approved the 210 live race days.

Capital reimbursement request, Charles Town Races, window replacement and HVAC for Toteroom, \$42,500.00

Upon motion by Mr. Rossi, seconded by Mr. McDermott, following acknowledgement by Ms. Carnefix that the funds are available, the Commission approved the reimbursement.

Capital reimbursement request, Charles Town Races, front-mount snow, \$14,950.00

Upon motion by Mr. Rossi, seconded by Mr. McDermott, following acknowledgement by Ms. Carnefix that the funds are available, the Commission approved the reimbursement.

Approval of Wheeling Charles Town change in host fee rate paid by Avatar Ventures, LLC from 4.0% to 3.75%

Upon motion by Mr. McDermott, seconded by Mr. Rossi, the Commission approved the change in the host fee rate.

Staff updates – State Veterinarian for Mountaineer, Executive Director annual review

Following Executive Session, the Commission made no decisions.

Adjournment

The next Racing Commission meeting is set for November 14, 2011, at 10 AM at the Mardi Gras Casino and Racetrack.